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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/024,268	12/18/2001	Robert F. Meyerson	13944.104	5726

7590 07/01/2005

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EXAMINER

PHAN, JOSEPH T

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/024,268

Applicant(s)

MEYERSON ET AL.

Examiner

Joseph T. Phan

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 December 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/24/05.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 6, 7, 13, 18 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 6 line 15 and claim 18 line 8 recites "the identified subscriber station". It is unclear and confusing if this phrase is referring to "identifying a subscriber" in line 11 or one of the plurality of stations in line 2. Appropriate clarification and/or correction is required.

Claim 7, 13, and 18 contains grammatical errors that make the claims unclear and confusing. Claim 7 line 13 recites "means for recording that the identified subscriber device";

Claim 13 line 5 recites "receiving a first audio... signal, that identifies a subscriber..., from an originating device..."

Claim 18 line 10 recites "communication channel. if the subscriber device"

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-24 rejected under 35 U.S.C. 102(b) as being anticipated by

Fuller et al, Patent #5,610,970.

Regarding claim 1, Fuller teaches a multi-media communication

management system for operation with a plurality of subscriber stations(*labels 6, 9, 19, etc. of Fig.1 are subscriber stations of devices 11, 20, 25, etc.*) at least one of which serves a subscriber device, the multi-media communication management system comprising:

a network communication circuit for multi-media communication with said plurality of subscriber stations, a service provider interface for multi-media communication with a communication originating device over a service provider communication medium(*labels 1 and 2 in Fig.1; PSTN is a network circuit and a service provider interface, pager 6 and radio transceiver 9 are multi-media*), a communication gateway coupled to the network communication circuit and the service provider interface(label 1 of Fig.1) comprising:

means for receiving, from the communication originating device, a first audio session initiation signal identifying a subscriber to which the audio initiating signal is to be directed, means for identifying which of the plurality of subscriber stations is presently serving a subscriber device that is associated with the identified subscriber(Fig.1, col.5 lines 20-34, col.6 lines 25-60, and col.10 lines 1-58), and

means for providing a second audio session initiation signal to the

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identified subscriber station via the network communication circuit(col.5 lines 36-42).

It is noted that examiner reserves the right to use other embodiments of Fuller to read on the claims as recited since they are broad, Fuller teaches several other embodiments that can read on the broad claims.

Regarding claim 2, Fuller teaches the multi-media communication management system of claim 1 , wherein the communication gateway further comprises:

means for receiving an open session signal from the subscriber station in response to the second audio session initiation signal,
means for establishing a first communication channel with the originating device, means for establishing a second communication channel with the subscriber station in response to the open session signal', and
means for relaying audio communication data between the first communication channel and the second communication channel for the duration of the audio session(Fig.1 and col.5 lines 20-42).

Regarding claim 3, Fuller teaches the multi-media communication management system of claim 2, wherein the communication gateway further comprises: means for identifying a subscriber device associated with the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10),

Regarding claim 4, Fuller teaches the multi-media communication management system of claim 1, wherein the

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communication gateway further comprises:

means for establishing a first communication channel with the originating device, and means for recording an audio message received on the first communication channel if an open session signal is not received from the subscriber station during a time period following when the second audio session initiation signal was provided to the subscriber station(Fig.1, col.5 lines 20-34, and col.10),

Regarding claim 5, Fuller teaches the multi-media communication management system of claim 1, wherein the identification gateway further comprises:

communication means for establishing a first communication channel with the originating device; and means for recording an audio message received on the first communication channel if an audio session is already open between the communication gateway and the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10),

Regarding claim 6, Fuller teaches a multi-media communication management system for operation with a plurality of subscriber stations, at least one of which serves a subscriber device, the multi-media communication management system comprising:

a network communication circuit for multi-media communication with said plurality of subscriber stations,

a service provider interface for multi-media communication with an originating device over a service provider communication medium',

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a communication gateway coupled to the network communication circuit and the service provider interface comprising'.

means for receiving, from the originating device, a audio session initiation signal identifying a subscriber to which the audio session initiating signal is to be directed', means for opening a first communication channel with the originating device', means for identifying whether the identified subscriber station is then currently serving a subscriber device that is associated with the identified subscriber', means for recording an audio message received on the first communication channel if the subscriber device that is associated with the subscriber identifier is not served by the identified subscriber station(Fig.1, col.5 lines 20-34, col.6 lines 25-60, and col.10 lines 1-58; see also examiner interpretations in claim 1).

Regarding claim 7, Fuller multi-media communication management system for operation with a plurality of subscriber stations, at least one of which serves a subscriber device, the multi-media communication management system comprising:

a network communication circuit for multi-media communication with said plurality of subscriber stations, a service provider interface for multi-media communication with an originating device over a service provider communication medium session control server coupled to the network communication circuit comprising: means for receiving a message from a subscriber station identifying which of a plurality of subscriber devices is then currently served by the

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subscriber station', means for recording that the identified subscriber device is served by the subscriber station in a location table(Fig.1, col.5 lines 20-34, and col.10 lines 1-58),; and

a communication gateway coupled to the network communication circuit and the service provider interface comprising:

means for receiving, from the originating device, a audio session

initiation signal identifying a subscriber to which the audio session initiating

signal is to be directed', means for querying the location table to identify which of a plurality of subscriber stations is currently serving a subscriber device that is associated with the subscriber identifier; and means for providing a second audio

session initiation signal to the identified subscriber station via the network communication circuit((Fig.1, col.5 lines 20-34, col.6 lines 25-60, and col.10 lines 1-58; see *examiner italicized notes in claim 1 for interpretations*).

Regarding claim 8, Fuller teaches the multi-media communication management system of claim 7, wherein the session control server further comprises'.

means for receiving a message from a subscriber station indicating that the identified subscriber device is no longer served by the subscriber station',

means for recording that the identified subscriber device is not served by a subscriber station in the location table(Fig.1, col.5 lines 20-34, and col.10 lines 1-58),

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Regarding claim 9, Fuller teaches the multi-media communication management system of claim 8, wherein the communication gateway further comprises:

means for receiving an open session signal from the subscriber station in response to the second audio session initiation signal; and

means for establishing a first communication channel with the originating device and establishing a second communication channel with the subscriber station in response to the open session signal', and

means for relaying audio communication data between the first communication channel and the second communication channel for the duration of the audio session(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 10, Fuller teaches the multi-media communication management system of claim 8, wherein the session control server further comprises:

means for establishing a first communication channel with the originating device', and means for recording an audio message received on the first communication channel if an audio session is already open between the gateway and the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 11, Fuller teaches the multi-media communication management system of claim 8, wherein the communication gateway further comprises:

means for establishing a first communication channel with the originating

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device- and means for recording an audio message received on the first communication channel if the subscriber device is not served by the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 12, Fuller teaches the multi-media communication management system of claim 8, wherein the communication gateway further comprises: means for establishing a first communication channel with the originating device, and means for recording an audio message received on the first communication channel if an open session signal is not received from the identified subscriber station during a time period following when the second audio session initiation signal was provided to the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 13, Fuller teaches a method of providing audio communication routing to a subscriber in a mutli-media communication management system comprising a plurality of subscriber stations, at least one of which serves a subscriber device, the method comprising the steps of: receiving a first audio session initiation signal, that identifies a subscriber to whom the audio session initiating signal is to be directed, from an originating device over a service provider communication medium; identifying which of the plurality of subscriber stations is currently serving a subscriber device that is associated with the subscriber', providing a second audio session initiation signal to the identified subscriber station via a local network communication circuit(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

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Regarding claim 14, Fuller teaches the method of claim 13, further comprising:
receiving an open session signal from the identified subscriber station in response to the second audio session initiation signal',
establishing a first communication channel with the originating device;
establishing a second communication channel with the identified subscriber station in response to the open session signal, and
relaying audio communication data between the first communication channel and the second communication channel for the duration of the audio session(Fig.1, col.5 lines 20-34,,and col.10 lines 1-58).

Regarding claim 15, Fuller teaches the method of claim 13, wherein the step of identifying comprises: identifying a subscriber device associated with the subscriber(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 16, Fuller teaches the method of claim 13, further comprising:
establishing a first communication channel with the originating device; and
recording an audio message received on the first communication channel if an open session signal is not received from the identified subscriber station during a time period following when the second audio session initiation signal was provided to the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 17, Fuller teaches the method of claim 13 further comprising:

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establishing a first communication channel with the originating device', and recording an audio message received on the first communication channel if an audio session is already open between the gateway and the identified subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 18, Fuller teaches a method of providing audio communication routing to a subscriber in a mutli-media communication management system comprising a plurality of subscriber stations, at least one of which serves a subscriber device, the method comprising: receiving a first audio session initiation signal that identifies a subscriber, to whom the audio session initiating signal is to be directed, from an originating device over a service provider communication medium', opening a first communication channel with the originating device', identifying whether the identified subscriber station is presently serving a subscriber device that is associated with the identified subscriber station', and recording an audio message received on the first communication channel .if the subscriber device that is associated with the identified subscriber is not served by a subscriber station(Fig.1, col.5 lines 20-34, col.6 lines 25-60, and col.10 lines 1-58).

Regarding claim 19, Fuller teaches a method of providing audio communication routing to a subscriber in a mutli-media communication management system comprising a plurality of subscriber stations, at least one of which serves a subscriber device, the method comprising'. receiving a message from a subscriber station identifying which of a plurality of

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subscriber devices is then currently served by the subscriber station;
recording that the identified subscriber device is served by the subscriber station in a location table(Fig.1, col.5 lines 20-34, and col.10 lines 1-58);
receiving a first audio session initiation signal that identifies a subscriber, to whom the audio session initiating signal is to be directed, from an originating device over a service provider communication medium', querying the location table to identify which of the plurality of subscriber stations is currently serving a subscriber device that is associated with the identified subscriber; and
means for providing a second audio session initiation signal to the identified subscriber station via a local network communication circuit(Fig.1, col.5 lines 20-34, col.6 lines 25-60, and col.10 lines 1-58).

Regarding claim 20, Fuller teaches the method of claim 19, further comprising: receiving a message from a subscriber station indicating that the identified subscriber device is no longer served by the subscriber station', and recording that the identified subscriber device is not served by a subscriber station in the location table(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 21, Fuller teaches the method of claim 20, further comprising: receiving an open session signal form the subscriber station in response to the second audio session initiation signal', and
establishing a first communication channel with the originating device;
establishing a second communication channel with the subscriber station in response to the open session signal; and

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relaying audio communication data between the first communication channel and the second communication channel for the duration of the audio session(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 22, Fuller teaches the method of claim 20, further comprising: establishing a first communication channel with the originating device; and recording an audio message received on the first communication channel if an audio session is already open between the gateway and the subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 23, Fuller teaches the method of claim 20, further comprising: establishing a first communication channel with the originating device; and recording an audio message received on the first communication channel if the subscriber device is not served by the subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Regarding claim 24, Fuller teaches the method of claim 20, further comprising establishing a first communication channel with the originating device', and recording an audio message received on the first communication channel if an open session signal is not received from the subscriber station during a time period following when the second audio session initiation signal was provided to the subscriber station(Fig.1, col.5 lines 20-34, and col.10 lines 1-58).

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph T. Phan whose telephone number is (571) 272-7544. The examiner can normally be reached on Mon-Fri 9am-6pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JTP
June 27, 2005



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